

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**HB 73**

January 25, 2011

**SUMMARY OF BILL:** Requires local law enforcement, within 12 hours after a report is filed, to conduct an investigation into allegations that a funeral director or funeral establishment has violated statutory licensing requirements affecting the handling, custody, care, or transportation of a dead human body or has criminally abused a corpse. Requires the officer, upon a finding of probable cause, to issue a citation or obtain an arrest warrant and notify the local district attorney and the Board of Funeral Directors and Embalmers. Eliminates failure of law enforcement to initiate a timely investigation as a defense to a disciplinary action or to prosecution for abuse of a corpse.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- Allegations of licensing violations and of abuse of a corpse are currently investigated by the Board of Funeral Directors and Embalmers and by law enforcement, respectively. Requiring investigations to be conducted by law enforcement within 12 hours of receiving a report of an alleged violation will not have a significant fiscal impact on state or local government.
- Pursuant to Tenn. Code Ann. § 4-3-1011, all regulatory boards are required to be self-supporting over a two-year period. The Board of Funeral Directors and Embalmers had closing balances of \$360,873 in FY09-10 and \$69,404.08 in FY08-09.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "James W. White".

James W. White, Executive Director

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